

REMARKS

Applicants have amended their claims herein to better clarify the invention. Claims 1, 7, and 13, are amended herein to recite, *inter alia*, use of three information storage and retrieval systems. Support can be found in the Specification on Page 6 at Lines 20-21, and in FIG. 3 at data storage and retrieval system 301, data storage and retrieval system 331, and data storage and retrieval system 361.

Claims 1, 7, and 13, are amended herein to recite, *inter alia*, use of hard disk arrays comprising eight disk drives. Support can be found in the Specification on Page 6 at Lines 6-8, and in FIG. 1 at disk array 180 comprising disk drives 181, 182, 183, 184, 185, 186, 187, and 188, and in FIG. 1 at hard disk array 190 comprising disk drives 191, 192, 193, 194, 195, 196, 197, and 198.

Claims 1, 7, and 13, are amended herein to recite, *inter alia*, three information storage and retrieval systems interconnected with other via a first communication link. Support can be found in FIG. 3 at communication link 395.

Claims 1, 7, and 13, are amended herein to recite, *inter alia*, three information storage and retrieval systems interconnected with the same host computer via a second communication link. Support can be found in FIG. 3 at communication link 398.

Claims 1, 7, and 13, are amended herein to recite, *inter alia*, designating by a host computer one of six controllers as a master controller. Support can be found in the Specification on Page 10 at Line 20 through Page 11 at Line 1.

Claims 1, 7, and 13, are amended herein to recite that the master controller receives one or more commands from a host computer and then issues one or more master controller

commands to target controllers. Support can be found in the Specification on Page 7 at Line 21 through Page 8 at Line 5

No new matter has been entered. Reexamination and reconsideration of the application, as amended, is respectfully requested.

Claims 1-18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Beal et al. (U.S. Pat. No. 5,155,845) in view of Tan et al. (U.S. Pub. No. 2003/0126347), and further in view of Beardsley et al. (U.S. Pat. No. 6,061,750).

In *KSR International Co. v. Teleflex Inc.*, 127 S. Ct. 1727, 167 L. Ed. 2d 705 (2007), the Supreme Court held that the obviousness analysis of *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1, 86 S. Ct. 684, 15 L. Ed. 2d 545 (1966), controls an obviousness inquiry. The *Graham* obviousness factors include “the scope and content of the prior art” and the “differences between the prior art and the claims”. *KSR*, 127 S. Ct. at 1734 (quoting *Graham*, 383 U.S. at 17-18).

Neither Beal et al., Tan et al. nor Beardsley et al., singly or in combination, teach or suggest an apparatus and/or method to coordinate three interconnected information storage and retrieval systems, as recited by claims 1, 7, and 13, as amended herein. Neither Beal et al., Tan et al. nor Beardsley et al., singly or in combination, teach or suggest use of three information storage and retrieval systems each comprising two hard disk arrays, wherein each array comprises eight disk drives, as recited by claims 1, 7, and 13, as amended herein.

Neither Beal et al., Tan et al. nor Beardsley et al., singly or in combination, teach or suggest use of three information storage and retrieval systems interconnected with one another via a first communication link, and interconnected with the same host computer via a second

communication link, as recited by claims 1, 7, and 13, as amended herein.

Neither Beal et al., Tan et al. nor Beardsley et al., singly or in combination, teach or suggest use of six controllers disposed in three information storage and retrieval systems, and designating one of those six controllers as a master controller, as recited by claims 1, 7, and 13, as amended herein.

Neither Beal et al., Tan et al. nor Beardsley et al., singly or in combination, teach or suggest use of a master controller that receives one or more commands from a host computer and then issues one or more master controller commands to target data storage and retrieval system controllers, as recited by claims 1, 7, and 13, as amended herein.

In view of "the scope and content of the prior art," in combination with the "differences between the prior art and the claims, Applicants respectfully submit that under *KSR* claims 1, 7, and 13, as amended herein, are patentable over the combined teachings of Beal et al., Tan et al. nor Beardsley et al.

Claims 2-6, as amended herein, depend, directly or indirectly, from claim 1, as amended herein. Under 35 U.S.C. § 112, fourth paragraph, "a claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers." "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." MPEP 2143.03; *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed.Cir. 1988). Applicants respectfully submit that claims 2-6, as amended herein, are patentable over the teachings of Beal et al., Tan et al. nor Beardsley et al.

Claims 8-12, as amended herein, depend from claim 7, as amended herein. Under 35 U.S.C. § 112, fourth paragraph, "a claim in dependent form shall be construed to incorporate by

reference all the limitations of the claim to which it refers.” “If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious.” MPEP 2143.03; *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed.Cir. 1988). Applicants respectfully submit that claims 8-12, as amended herein, are patentable over the teachings of Beal et al., Tan et al. nor Beardsley et al.

Claims 14-18, as amended herein, depend from claim 13, as amended herein. Under 35 U.S.C. § 112, fourth paragraph, “a claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers.” “If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious.” MPEP 2143.03; *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed.Cir. 1988). Applicants respectfully submit that claims 14-18, as amended herein, are patentable over the teachings of Beal et al., Tan et al. nor Beardsley et al.

Having dealt with all of the outstanding objections and/or rejections of the claims, Applicants submit that the application as amended is in condition for allowance, and an allowance at an early date is respectfully solicited. In the event there are any fee deficiencies or additional fees are payable, please charge them, or credit an overpayment, to our Deposit Account No. 170055.

Respectfully submitted,

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